

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

TRAMAINÉ EDWARD MARTIN,)	
)	Case No. 1:07-CV-1689
Petitioner,)	
)	
v.)	JUDGE KATHLEEN M. O'MALLEY
)	
MICHELE EBERLIN, WARDEN,)	
)	
Respondent.)	<u>ORDER</u>
)	
)	

Before the Court is Tramaine Edward Martin’s (“Martin”) *pro se* petition for habeas corpus relief pursuant to 28 U.S.C. § 2254. The petition was referred to Magistrate Judge Greg White for a report and recommendation (“R&R”), where in Judge White recommended that Martin’s petition be denied [dkt. 18]. Martin filed his objections to the R&R [dkt. 19, 20, 23, 25].

For the following reasons, the Court adopts the well-reasoned and thoughtful R&R in its entirety and denies Martin’s petition for a writ of habeas corpus.

I. STANDARD OF REVIEW

Pursuant to Fed. R. Civ. P. 72(b) and 28 U.S.C. § 636(b)(1)(C), this Court reviews de novo the portion of the magistrate judge’s report and recommendation to which specific objections have been made. In reviewing the objections, the district court “may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). However, “a general objection to a magistrate’s report, which fails to specify the issues of contention, does not satisfy the requirement that an objection be filed. The objections must be clear enough to enable the district court to discern those issues that are dispositive and contentious.” *Miller v. Curie*, 50 F.3d 373, 380 (6th Cir. 1995). If the court accepts the R&R, it is not required to “state with specificity what it

reviewed; it is sufficient for the Court to say that it has engaged in a *de novo* review of the record and adopts the Magistrate Judge's report and recommendation." *Lardie v. Birkett*, 221 F.Supp.2d 806, 807 (E.D. Mich. 2002); *see also Tuggle v. Seabold*, 806 F.2d 87, 92-93 (6th Cir. 1986) (noting that "statement in order that district judge made de novo review of record and all objections to magistrate's findings and recommendations was sufficient" and that "[n]o further articulation was required.").

II. DISCUSSION

This Court has reviewed *de novo* those portions of the Magistrate's R&R that Martin finds objectionable. This Court has determined that Martin's objections are without merit and that the R&R should be adopted in its entirety and incorporated by reference herein. *See Tuggle*, 806 F.2d at 92.

III. CONCLUSION

Accordingly, the Court adopts the well-reasoned and thoughtful R&R in its entirety and denies Martin's petition for a writ of habeas corpus. Further, upon finding that Martin has not made a substantial showing of the denial of a constitutional right, the court declines to issue a certificate of appealability of this order. See 28 U.S.C. 2253(c)(2). Therefore, this order is final and not appealable.

IT IS SO ORDERED.

/s/Kathleen M O'Malley
KATHLEEN M. O'MALLEY
UNITED STATES DISTRICT JUDGE

DATED: September 30, 2010